

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

IN RE K-V PHARMACEUTICAL  
COMPANY SECURITIES LITIGATION

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Case No. 4:11-CV-01816-AGF

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**PLAINTIFF’S MOTION TO RECONSIDER THE SCOPE OF THE LEAVE TO AMEND  
PROVIDED IN THE MEMORANDUM AND ORDER**

Pursuant to Fed. R. Civ. P. 54(b), Fed. R. Civ. P. 60(b), and the Court’s inherent authority to alter its own interlocutory orders, Lead Plaintiff Lori Anderson (“Plaintiff”) respectfully moves the Court for reconsideration of the Court’s Memorandum and Order, dated March 27, 2014 (“Order”), restricting the scope of an amended complaint, and granting leave, pursuant to Fed. R. Civ. P. 15, for Plaintiff to file an amended complaint.

On March 27, 2014, the Court issued the Order (Dkt. No. 116) granting Defendants’ motion to dismiss the Consolidated Amended Class Action Complaint, but “without prejudice to Plaintiffs’ filing a second amended complaint with respect to a limited issue” of whether Defendants’ statements about the Company’s “financial assistance program for patients who could not afford Makena at the \$1,500 per injection price” were materially false and misleading. Order at 1, 21. The Court allowed Plaintiff twenty (20) days to file a new amended complaint covering the limited matter. Order at 21. Plaintiff now moves for reconsideration of the Court’s decision to restrict the scope of amendment solely to the allegations concerning the financial assistance program. Plaintiff seeks leave to file an amended complaint, which would contain new allegations set forth in the Memorandum of Law in Support of Plaintiff’s Motion to Reconsider the Scope of the Leave to Amend Provided in the Memorandum and Order

("Memorandum"), which Memorandum is adopted by reference herein.

For all of the reasons set forth in the Memorandum, the Court should reconsider the scope of the leave to amend, and allow Plaintiff to file an amended complaint alleging, *inter alia*, the new information described in the Memorandum within twenty (20) days of an order allowing such amendment.

Dated: April 16, 2014

HOLLAND, GROVES, SCHNELLER & STOLZE,  
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/s/ Eric D. Holland

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 16, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses denoted on the Court's electronic mail notice list.

/s/ Eric D. Holland

Eric D. Holland #39935-MO